

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

EMANUEL AGUIRRE,

Plaintiff,

v.

Civ. No. 16-1395 RB/KK

GEICO GENERAL INSURANCE CO.,

Defendant.

**ORDER ADOPTING JOINT STATUS REPORT AND  
PROVISIONAL DISCOVERY PLAN WITH CHANGES AND  
SETTING CASE MANAGEMENT DEADLINES**

THIS MATTER came before the Court at a Telephonic Rule 16 Initial Scheduling Conference held on May 4, 2017. (Doc. 25.) Following a review of the parties' Joint Status Report and Provisional Discovery Plan filed on April 7, 2017, (Doc. 21), the Court adopts the Joint Status Report and Provisional Discovery Plan modified as follows.

- a) Maximum of twenty-five (25) interrogatories by each party to any other party;
- b) Maximum of twenty-five (25) requests for production by each party to any other party;
- c) Maximum of twenty-five (25) requests for admission by each party to any other party;
- d) Maximum of forty (40) hours of depositions by Plaintiff and forty (40) hours of depositions by Defendant; and,
- e) Each deposition is limited to one (1) day of seven (7) hours, unless extended by the agreement of the parties and the deponent.

The following case management deadlines have been set:

- |    |   |                                  |
|----|---|----------------------------------|
| a) | Deadline for Plaintiff to amend pleadings and join additional parties by written consent or to seek the Court's leave to amend pleadings and join additional parties in compliance with Fed. R. Civ. P. 15(a)(2): | June 5, 2017                     |
| b) | Deadline for Defendant to amend pleadings and join additional parties by written consent or to seek the Court's leave to amend pleadings and join additional parties in compliance with Fed. R. Civ. P. 15(a)(2): | July 3, 2017                     |
| c) | Plaintiff's Rule 26(a)(2) expert disclosures <sup>1</sup> :   | September 11, 2017               |
| d) | Defendant's Rule 26(a)(2) expert disclosures <sup>1</sup> :   | October 16, 2017                 |
| e) | All discovery commenced in time to be completed by:   | January 12, 2018                 |
| f) | Motions relating to discovery to be filed by:   | February 2, 2018                 |
| g) | Pretrial motions (including motions which may require a <i>Daubert</i> hearing) to be filed by:   | February 12, 2018                |
| h) | Proposed Pretrial Order: Plaintiff to Defendant by:<br>Defendant to Court by:   | March 30, 2018<br>April 13, 2018 |

Parties must seek the Court's approval of any proposed extension of case management deadlines. Parties must submit any requests for additional discovery to the Court by motion before the close of discovery. Parties must supplement their disclosures or discovery responses pursuant to Federal Rule of Civil Procedure 26(e)(1) within thirty (30) days of learning that any disclosure or response is incomplete or incorrect. After the close of discovery, parties must supplement their disclosures or discovery responses as soon as possible, but no later than fourteen (14) days after learning of the need to supplement.

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<sup>1</sup> Parties must disclose the names of all expert witnesses, the subject matter on which the experts will present evidence, and a summary of the facts and opinions to which the experts are expected to testify by this date. Experts who are retained or specifically employed to provide expert testimony must also submit an expert report by this date. See Fed. R. Civ. P. 26(a)(2). The parties must have their retained expert(s) ready to be deposed at the time they identify them and provide their reports. Expert witnesses who are not required to provide a written report may be deposed before summary disclosure.

IT IS SO ORDERED.



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KIRTAN KHALSA  
UNITED STATES MAGISTRATE JUDGE